Office of Police Secondary Employment (OPSE) Frequently Asked Questions for Customers, Officers, and the Community

Note: Where a policy or procedure is required by the federal consent decree that took effect January 11, 2013, a citation including the relevant paragraph from the decree is noted in parentheses.

Why is a City Hall office coordinating police secondary employment?

Mayor Landrieu created the Office of Police Secondary Employment (OPSE) to reform the police paid details system for the good of the New Orleans Police Department and for the good of the City. Consistent with the federal consent decree, the mayor is committed to helping police officers tackle the tough law enforcement challenges we face while maintaining for them the opportunity to supplement their income through paid details.

When will the new secondary employment system take effect?

OPSE will begin a phased implementation over the course of 2013, beginning with managing a small number of jobs and scaling up operations over the remainder of the year. Well-defined market segments will be taken on throughout the summer and fall, with all new and existing police secondary employment jobs coming under control of the office by the end of the year (CD 338). A detailed implementation plan will be released in the near future so that customers and officers can plan accordingly for potential changes. Until the implementation plan identifies a job or market segment as subject to the new system, customers and officers can continue working under the current, self-negotiated system, in accordance with NOPD policy.

How much will it cost to hire an NOPD officer under the new system, and how much will officers be paid? Currently, customers pay one of two ways:

1. Time-based: Those jobs that involve securing a geographic place, whether it is a store or restaurant, a city block, a sector of festival grounds, or sector of a major special event venue, for a known or estimated amount of time. The proposal to be considered by the City Council recommends the following initial fee and pay schedule for time-based jobs:

Rank	Officer paid per hour	OPSE Admin Fee	Customer pays per hour
Maj/Cmdr/Capt	\$39		\$44
Lieutenant	\$35		\$40
Sergeant (or full-time Lt working down in Sgt role)	\$32		\$37
Patrol Officer	\$29	\$5	\$34
Full time employed Lt or Sgt working in a non-supervisory role	\$29		\$34
Reserve Officer any rank, working in a non-supervisory role	\$29	\$34	

2. Task-based: those jobs that require a specific task to be accomplished. The time required will vary. This includes all traffic escort jobs (oversized loads, weddings, funerals, second lines, parades). We are still working on a fair and appropriate system that takes into account a fee that includes both personnel and equipment charges. We anticipate proposing a task-based fee schedule to the City Council later in 2013.

Are there any other rates of pay being proposed?

The City will propose an amendment to the fee/pay/price model ordinance that establishes a flat rate Holiday Premium of \$17 per officer per hour to be paid in addition to an officer's hourly rate of pay for time-based secondary work on holidays and days of high officer demand. This premium applies to all officers, regardless of rank, and does not incur any additional administrative fee. The Holiday Premium adds \$17 per hour per officer to the standard customer cost, and the full amount of this premium will be passed on to the officer as a \$17 per hour increase in officer pay on those days. A City Council ordinance will establish the days for which the Holiday Premium will be in effect.

Will certain jobs pay more than others?

All time-based jobs will be paid according to the above fee and pay structure, no matter the job or employer (CD 348).

As a customer of the new system, how will I be billed?

When we begin our phased implementation with pre-selected jobs, we will require pre-payment in the form of a check to the City of New Orleans. As we transition to using our procured scheduling and management software, we will continue to require prepayment (CD 350 b), although we anticipate being able to schedule and pay for police secondary employment work in several ways. All payments will be invoiced, reconciled, and paid exclusively through OPSE (CD 352). Officers will be paid by the City of New Orleans.

How far in advance will a customer have to contact OPSE to submit a request?

Customers should contact the Office of Police Secondary Employment at least 7 days before their event begins.

What fee will the Office of Secondary Employment charge for arranging police secondary work?

The OPSE has built an administrative fee of \$5 per officer per hour into the fee structure. The money this fee will generate will offset administrative costs associated with managing police secondary employment, including management software costs, credit card and bank charges, staff salaries, and other expenses. If a surplus of funds generated by the administrative fee develops, the fee/pay/price model will be adjusted to decrease revenues.

Will the fees customers pay go into the City's general fund?

No. All revenues collected will go into a separate enterprise fund segregated from the city's General Fund. The express purpose and only functions of the enterprise fund are to collect fees from customers, pay police officers their earned wage, and fund the administrative costs of this office.

How are OPSE staff salaries set?

All OPSE staff salaries are set in accordance with the City's pay plan and are independent from the revenues generated by the police secondary employment system (CD 335).

How will police secondary jobs be coordinated?

An OPSE civilian coordinator will be responsible for those tasks that officer detail coordinators traditionally performed, including liaising with the customer, scheduling officers, tracking hours, managing customer feedback, and ensuring policy compliance. There is no additional fee charged customers for this service other than the standard hourly administrative fee built into the pricing schedule.

What should a customer do if the officer assigned to a job does not arrive as scheduled? Is there someone to call, even after hours?

Yes (CD 342). When a customer's job is accepted and scheduled, he or she will receive a telephone number for the job's coordinator. Customers and officers can call their coordinator, or after hours the coordinator on duty, at any time and he or she will help solve scheduling and other problems. Customers can think of the coordinator as

their personal customer service representative; officers can rely on the coordinator to perform all traditional coordination tasks.

Will customers be able to provide feedback?

One major feature of the new system is a customer's ability to provide feedback on the officer's performance. If officers do great work for customers and the community, we encourage customers to let us know. If there are any problems with a job, we would like to know that as well. Our coordinators will be able to record and maintain customer comments as a means to continually improving customer service (CD 356 a).

Will OPSE coordinators come to work sites?

An OPSE coordinator may come to an officer's secondary employment job site, but local patrol supervisors and other police supervisors may also stop by as well (CD 370 a).

How will police secondary employment be supervised?

Secondary employment requiring the simultaneous or overlapping schedule of one to four officers may be worked without a ranking officer. In these instances the most senior officer accepts responsibility for overseeing the job. Jobs requiring more than four officers at one time will require on-the-job supervisors according to OPSE's supervisory tables. Ultimate supervisory oversight shall be the responsibility of a patrol supervisor in the police district where the secondary employment assignment is located (CD 370).

What happens if a customer must cancel a scheduled detail?

Customers needing to cancel scheduled jobs should immediately call their coordinator so that he or she can make adequate arrangements.

How will the office handle officer short-notice substitutions?

The OPSE coordinator responsible for that job will be responsible for managing substitutions and schedule changes. Officers will not be allowed to schedule their own replacements or fill-ins.

Will customers still have to fill out tax forms for the officers they hire?

No. Under the new system, OPSE will be responsible for all payroll and tax matters.

Will the new system be difficult to use?

No. Officer and customer experiences will be streamlined through convenient web-based interfaces, making the administrative parts of the process both efficient and accountable. We are confident that through the use of technology, and with OPSE coordinators assigned to every job, the new system will be easy to use and responsive to customer and officer needs.

<u>Some officers have been working with the same business for many years. Can they continue to work these</u> long-standing jobs?

There is a clear benefit to both the customer and the public to maintain established relationships on secondary jobs consistent with community policing objectives. We have worked hard to create a system that balances fairness and police best practice with good relationships and experience built over time. Most officers will

continue to be able to work long-standing jobs, but will be required to be rotated on a yearly basis (CD 340). The exceptions to this rotation requirement include permanent jobs at schools, hospitals, places of worship, banks, and major special events (Superdome, Arena, Jazz Fest, Essence Fest, French Quarter Fest, and other events as determined by the superintendent) (CD 340). So, under routine circumstances, officers who work a permanent secondary job:

at a:	and hold the rank of:	and serve a role on the secondary job as a:	Your rotation requirement is:	
School, hospital, church, bank, or major special events venue	PO I-IV	Non-supervisor	None. You can generally continue to work the same job.	
School, hospital, church, bank, or major special events venue	Sgt, Lt	Non-supervisor	You may be able to continue to work down at the lower pay rate of the role you are filling, as long as you are not supervised in this role by someone of a lower rank.	
School, hospital, church, bank, or major special events venue	Capt, Cmdr, Maj	Non-supervisor	Immediate. Captains, commanders, and majors are only allowed to serve in supervisory roles. You will be ineligible for future non-supervisory work in this job. You may, however, be eligible for supervisory work in this job, if required.	
School, hospital, church, bank, or major special events venue	Sgt, Lt, Capt, Cmdr, Maj	Supervisor	Dependent on the number of officers and supervisors working the job. If existing supervisor-to-PO ratios match or are less than the requirements of the new system, you may be able to continue in the job unaffected. If current supervisors exceed the supervisor requirements under the new system, you will be rotated out.	
All other jobs	PO I-IV	Non-supervisor	At least once a year. Expect to be rotated out of the job after a year. As long as you remin in good standing with the NOPD and OPSE, you will be eligible to return to the same job in the future.	
All other jobs	Sgt, Lt	Non-supervisor	You may be able to continue to work down for the lower pay rate of the role you are filling, as long as you are not supervised in this role by someone of a lower rank. You would still be subject to rotation at least once a year. As long as you remin in good standing with the NOPD and OPSE, you will be eligible to return to the same job in the future.	
All other jobs	Capt, Cmdr, Maj	Non-supervisor	Immediate. Supervisors are only allowed to serve in supervisory roles. You will be ineligible for future non-supervisory work in this job. You may, however, be eligible for supervisory work in this job, if required.	
All other jobs	Sgt, Lt, Capt, Cmdr, Maj	Supervisor	If existing supervisor-to-PO ratios match or are less than the requirements of the new system, you may be able to continue in the job unaffected. If current supervisors exceed the supervisor requirements under the new system, you will be rotated out. If you remain on the job as a supervisor, expect to be rotated out after a year. As long as you remin in good standing with the NOPD and OPSE, you will be eligible to return to the same job in a supervisory role in the future.	

How did you establish the \$5.00 per hour administrative fee?

We reviewed secondary employment policies for dozens of public safety organizations across the country and found 15 to be centralized or centralized enough to be comparable to our proposed system. In this group of 15, we looked at what those cities charge for administrative fees. Dropping the highest and lowest of that group, the average administrative fee came to \$4.49 per hour. We don't know whether those cities' administrative fees actually cover their full operating costs without requiring a subsidy from their taxpayers—we only know what they charge. So having a fair comparable administrative fee rate for comparison, we then ran three financial models with three variations of each (9 total models): a model that favored higher officer pay and higher customer cost (the "customer burden model"), a model with lower customer cost and lower officer pay (the "officer burden model"), and a model where both the customer and the officer share the financial burden (the "shared burden model"). For each of these models we ran three variations: admin fees of \$5 per hour, \$4.50 per hour, and \$4 per hour. We considered the numbers of each of these 9 models from three different perspectives: 1) the average of what 80 local customers actually currently pay officers for secondary jobs, the average of what customers pay and what officers make in those 15 other cities across the country, and the anticipated operating expenses of our office over the next three years. Of the nine models, the one that was fairest to both customer and officer, that compared favorably with what happens in similar systems in other cities, and that covered our office's operating costs under most revenue scenarios is the shared burden model with a \$5 per hour admin fee. This is the model proposed for fees and pay in the pending ordinance to be considered by the Council.

Based on the current local averages of customer cost and officer pay, under the proposed model customers would pay 5% to 24% more than they do now for the hourly officer rate (depending on rank, and not counting any coordination fees that they now pay, which if considered would translate to significantly smaller increased costs than represented here). Officers end up making from 11% less to 14% more than the current average officer hourly pay (depending again on the rank of officer). By comparing what officers currently make on average with the proposed rates, and what customers currently pay on average versus what they would pay under the proposed fee schedule, and allocating those differences proportionally according to the NOPD's actual rank proportions of the total force (because this is how customers pay, by rank), the proposed \$5 admin fee burden would be almost equally shared between the customer and the officer. The officer bears a share of \$2.42 and the customer bears a share of \$2.58. It is wrong, therefore, to assume that the additional \$5 per hour costs that have been proposed come entirely at the expense of officers or customers; it is shared.

Some have suggested that the proposed pay rate for secondary employment represents a decrease in officer pay of 17-28%. Is this true?

No. In the last year, OPSE has gathered data on existing police secondary jobs from over 100 local employers. Of the over 80 employers who disclosed pay information, for which about 90% pay officers a standard rate regardless of rank, officer pay averages are: \$32.27 per hour for patrol officers, \$32.91 per hour for sergeants, \$33.20 per hour for lieutenants, and \$33.41 per hour for captains [not counting any separate coordinator fees, which will no longer be paid as OPSE is required to coordinate all jobs (CD 332)]. Our proposed fee and pay schedule would have officers making 11% less to 14% more than these averages, depending on rank.

Does the proposal mean customers will end up paying more for police secondary work?

Customers will indeed share the cost burden, but will also get the benefit of a transparent, accountable, standardized, customer service-focused business. The nature of standardized pricing is that some customers will pay more for their secondary employment and some will pay less, but all will get a great service for best-value pricing, while participating in a system that both enhances public safety and increases public accountability.

Will part of the administrative fee be used to supplement the NOPD's budget or will it go entirely to the OPSE?

No, the administrative fee will not supplement NOPD's budget. The OPSE has built an administrative fee of \$5 per officer per hour into the fee structure. The money this fee will generate will offset administrative costs associated with managing police secondary employment, including management software costs, credit card and bank charges, staff salaries, and other expenses, eventually allowing the office to operate without any additional funding from city taxpayers. If a surplus of funds generated by the administrative fee develops, the fee/pay/price model will be adjusted to decrease revenues.

Some have surmised that the OPSE's budget is expected to increase significantly in 2014 and 2015. Would this require that the average number of detail hours worked per month be raised to levels well above the current average of 13,000 per month, raising the \$5.00 fee, or public funding if the \$5.00 per hour does not cover the OPSE's budget?

In making budget projections, we made some assumptions about the volume of secondary jobs officers will work in the coming years. Because we think NOPD officers provide the best value for customers, and we intend to help customers understand this through coordinated information and marketing campaigns, as well as the fact that the new system will be more fair, more transparent, and more accountable to both officers and the public, we believe the volume of jobs will grow. Projected revenues in 2013 are based on current job volumes. Revenues in

2014 are based on a slight increase in volume, approximating the number of jobs that existed in spring 2011, and 2015 revenues are projected to be higher based on an assumption that we can again achieve late-2010 volumes.

With regard to the office's operating costs, we anticipate a total cost increase in 2014 of about 20% as the office moves into full operations. In 2015, however, we anticipate a slight decrease in total operating costs from the previous year. And we anticipate a significant reduction in the percentage of the budget allocated to administrative cost beginning in 2015 as revenues increase.

Some have asserted that to be implemented, the proposal requires the use of the new ADP payroll system. If implementation of the ADP payroll system for the City of New Orleans is delayed, how will this affect the office?

ADP payroll is not required for implementation. We have planned, however, to synchronize and potentially make use of ADP payroll services once they come online, if that course of action proves both feasible and beneficial to the success of the program.

The average number of detail hours NOPD officers have worked has decreased over the last two years. Does this proposal rely on the supposition that detail hours will increase?

We have assumed that officers will want to work at least as much as they have in the past, and we believe that we will offer customers the best available value for their security budgets, so yes, we fully intend to market the program to the public to help them understand that they get a great service and the best available value when they use NOPD officers for their private security needs. We fully expect volumes to move back toward pre-implementation levels as we move forward.

Should the pay rate for classified employees (NOPD) be established with the Civil Service Commission? No, the rates will be set by City Council ordinance.

Since the proposal relies on the City to pay officers through the enterprise fund it seeks to create, should the secondary hours officers work be included in overtime accounting?

DOJ obtained an opinion letter from the Department of Labor stating that the City falls within the FLSA exemption from including police secondary employment hours in overtime accounting.

Would the proposal place greater liability on the City?

Liability is a factually-specific determination.

Who would be responsible for paying the appropriate taxes, particularly on the \$5.00 per hour fee?

No one. The \$5 is not income to the officer, so officers will not have to pay tax on it. The City is not a taxpaying entity and therefore will not have to pay taxes on fees collected.

Are there any provisions for waiving the \$5.00 per hour fee.

No.

Will the OPSE take money to reimburse the city for the costs of police officer's radio, uniform and badge?

No. The OPSE will only reimburse the city for non-personal items that incur clear, significant operating or maintenance costs (e.g., fuel). Equipment fees will be implemented in late 2013 for those customers who require the officers to use NOPD equipment (e.g. cars, motorcycles, canines, horse mounts, etc.) to perform the job.

<u>Can officers who work as full-time employed supervisors but work a regular secondary job in a non-supervisory role keep their shift?</u>

A key objective of the new program is to reestablish the universal authority of police supervisors by requiring that they work in positions of authority, no matter if it is on the job or on a secondary shift. Nonetheless, there are times when, for personnel availability reasons, lower-level supervisors have worked in non-supervisory roles at the lower rate of pay. To maintain this practical flexibility under the new system, sergeants and lieutenants may be offered jobs at a lower supervisory level, or without supervisory responsibilities altogether, and be paid at the lower rate (i.e. "working down") (CD 371). If working at a lower rate, however, no lieutenant or sergeant can be supervised on that job by an officer of lower rank (CD 346). Captains, commanders, and majors will only be able to work secondary jobs in supervisory positions commensurate with their rank (CD 371). Deputy chiefs are ineligible to work secondary jobs.

Can reserve NOPD officers work jobs through OPSE?

Reserve officers may serve in any position for which they are qualified. If a reserve supervisor "works down" at the PO rate, he or she will be paid the PO rate for time-based jobs. However, all work will be scheduled, coordinated, and paid for through OPSE. All reserve officer requests to work jobs through OPSE will be approved by the Reserve Division Commander and then forwarded to the Superintendent (CD 366).

<u>Currently, NOPD detail coordinators may get paid extra to organize jobs. Can police officers still coordinate jobs?</u>

All coordination work will be taken on by OPSE civilian coordinators. While officers may be able to continue working the same job, they will no longer be permitted to serve as the job's paid coordinator (CD 332).

How many secondary employment hours will NOPD employees be able to work?

There will be no change to current NOPD policy. Officers will continue to be able to work no more than 24 additional hours per week. These hours include voluntary or mandatory overtime and secondary employment hours. The superintendent may grant exceptions to this rule for special events or emergencies.

Will police officers get a chance to work better jobs under the new system?

Except for those jobs specifically exempted from the rotation policy by the consent decree, jobs will be fairly rotated among qualified officers. The primary factors that will be used to offer jobs are qualifications, performance, and number of secondary hours already worked.

Will OPSE regulate an NOPD employee's outside employment (non-police related work)?

No. The OPSE regulates only security-oriented secondary employment. Outside employment (landscaping, tax preparation, photography, catering, etc.) is regulated by NOPD policy only.

Will police officers have to fill out more paperwork to apply for a police detail?

While we can't finalize our process until we know the exact software tools that we will ultimately use to automate the process, it is our intent that the new system will be no more burdensome than the current system, and that much of the administrative work will be accomplished using web-based interfaces for officers and customers.

Will an officer be able to work a secondary job that requires a police car if they do not have a take home vehicle?

We are working with department leadership to determine the best way to allocate scarce vehicles and equipment for secondary jobs. Our objective is to create a system that does not exclude officers who do not have take-home vehicles from any secondary job opportunity, including those where the customer requests a vehicle.

<u>Will NOPD supervisors still have the ability to authorize an officer's ability to work secondary jobs?</u> *Yes.*

Can police officers select the type of jobs they want?

Officers will have the ability to express preferences for the types of jobs that they would like to work, although we can't guarantee they will be offered those types of jobs every time.

What happens if an officer declines a job offer?

Frequency of declines or cancellations may affect future job opportunities. We are in consultation with current detail coordinators for a variety of jobs to determine the right way to reward responsive officers and penalize officers who repeatedly decline or cancel work. Jobs will not be offered to officers where there are clear work schedule conflicts. If unforeseen conflicts arise with work schedules, officers will not be penalized for not being able to fill a secondary shift that conflicts with his or her official NOPD duties. Officers will also have some ability to decline jobs without penalty, but not without limitations. The policy on declines will be finalized when OPSE has procured its scheduling and management software and policy can be synchronized with software functionality.

Will the public be able to see a listing of all details to know if everyone is getting a fair opportunity at jobs? The OPSE will periodically publish on our website a list of jobs worked and the officers who worked them to comport with our core mission of transparency.

Will officers be required to have a rest period between their police shift and secondary job?

No, as long as officers have worked/will work no more than 16 hours since first reporting for work of any kind on that calendar day (CD365), they need not have a rest period in between their regular shift and secondary job.

If legislation proposed in the state legislature were to pass and require that all secondary employment hours would be pensionable, how much would that cost the City? Would the proposed plan still be viable?

If all police secondary hours were pensionable, we estimate it would cost the City an additional \$350k in 2013, \$1.2M in 2014, and \$1.9M in 2015, at a minimum. For the system to work, this money would have to come in one of several ways, or a combination of them: increased customer cost, decreased officer pay, or taxpayer

appropriations to subsidize secondary employment. Essentially, were this legislation to become law, its associated costs would make the secondary employment system cost prohibitive.

Since in most cases, officers drive their personal vehicles to work details, how will they be expected to respond to calls for service in the neighborhood (without breaking departmental policy that says they cannot use private vehicles in the scope of police work)?

There is no change to the current obligation officers have to respond to police emergencies as part of their 24/7/365 commitment to serving the public. This is covered by NOPD policy. The policy also states, "[t]he fact that commissioned members may be technically OFF-DUTY shall not relieve them from the responsibility of taking the required police action on any serious police matter coming to their attention at any time."

Some businesses have raised concerns that they'll be paying for officers who will then get called out to another call, leaving the detail post unmanned. How would you respond to that concern?

There is no change to the current obligation officers have to respond to police emergencies as part of their 24/7/365 commitment to serving the public. Customers understand this, and benefit from it. Officers will continue to serve and protect the neighborhoods in which they work secondary jobs, and if they respond to emergencies that keep them away from their post for an extended period of time, we will work to backfill the job with another officer if need be, or provide a credit based on time paid for but not served.

Why aren't captains and majors included in the rotation? The number of details that require supervisors are relatively few; if the goal is fairness, how is it being fair to those ranks to take away their opportunities to work details?

Captains, commanders, and majors in fact are included in the rotation the same as all other ranks. There are three overlapping policies that affect senior officers' work, though. The "rotation" is the requirement to rotate out at a minimum once every year those officers who work recurring secondary employment on long standing jobs (CD 340). If a captain or commander or major supervises on one of these recurring jobs, he or she must rotate out once a year just like the junior officers. There is a separate requirement, though, that supervisors (sergeants, lieutenants, captains, commanders, and majors) must work in supervisory positions commensurate with their rank (CD 346, 371). So if a captain, commander, or major works a recurring job, but the role he or she serves on that job is not supervisory at a level equal to his or her rank, the senior officer can no longer work in that role. For example, if a captain works a school traffic job, and he fills the single officer role of traffic management at that school each afternoon, he will no longer be able to work that job, because he's not acting in the capacity of a captain-level supervisor. This policy seeks to reestablish the authority of the chain of command of the department. The third policy that overlaps here is the exception to the supervisor rule for sergeants and lieutenants (CD 371). This exception was put into place as a practical compromise between having supervisors always be required to serve in supervisory positions, and the acknowledgement that very often, it is extremely difficult to find enough officers to fill every PSE job. This is especially true during large special events when police manpower is at a premium. So sergeants and lieutenants will be allowed to "work down" in a lower or nonsupervisory role and get paid at the lower rate.

Why were certain organizations chosen to be exempt (churches, banks, hospitals, schools) from the rotation? These were the specific exemptions the Department of Justice agreed to during the consent decree negotiations.

<u>Is the income earned by NOPD employees through secondary employment going to be included on their regular W-2 or will there be a second W-2?</u>

It is our intent to use a single W-2.

Where will an officer's compensation for secondary employment be recorded on the W-2 form?

All compensation, whether from salary, overtime, or secondary employment will be recorded in box 1, as required, under "wages, tips, other compensation." However, payroll reports can be generated at an officer's request in order to show the specific amounts earned under each category and we anticipate this information being electronically available to all officers as part of the ADP system.

Who do you anticipate will be responsible for paying taxes on the \$5/hr fee proposed in our ordinance?

No one. The \$5 is not income to the officer, so officers will not have to pay tax on it. The City is not a taxpaying entity and therefore will not have to pay taxes on fees collected.

<u>Is the City planning on making Social Security payments on behalf of the officers? If so, who is responsible for paying the employer contribution under your proposal?</u>

No, as long as the officers are exempt from contributing to Social Security in their current status.

<u>Is the City planning on making Medicare payments on behalf of the officers? If so, who is responsible for paying the employer contribution under your proposal?</u>

Yes. The City will pay the employer contribution.

<u>Is it your position that the City will not be responsible for workers compensation injuries sustained by officers while working secondary employment?</u>

Workers' compensation is a factually-specific determination.

How do you believe your plan affects the computation of overtime hours in consideration of the FLSA?

The consent decree mandates that OPSE exist outside of NOPD (CD 333, 337), something that has never been done anywhere in the country. The City obtained an opinion letter from the Department of Labor stating that the City fell within the FLSA exemption from including police secondary employment hours in overtime accounting.

How do you believe your plan affects the computation of an officer's overtime rate of pay in consideration of the FLSA?

See above.

What agencies did you poll in determining the OPSE \$5/hr fee?

We received information from the following locations:

Newark, NJ

Richmond, VA

Jefferson Parish, LA

Salt Lake City, UT

St Tammany Parish, LA

Cincinnati, OH

Miami, FL

Nashville, TN

Clearwater, FL

Raleigh, NC

Tampa, FL

Boston, MA

Pittsburgh, PA

San Jose, CA

Baton Rouge, LA

Seattle, WA

Atlanta, GA

Austin, TX

Baltimore, MD

Charlotte, NC

Chicago, IL

Cleveland, OH

Columbus, OH

Corpus Christi, TX

Denver, CO

Detroit, MI

Durham, NC

Jackson, MS

Lafayette, LA

Memphis, TN

Milwaukee, WI

Minneapolis, MN

Mobile, AL

Oklahoma City, OK

Orlando, FL

Portland, OR

Shreveport, LA

St. Louis, MO

Tallahassee, FL

Washington, DC